

MORGAN COUNTY WATER DISTRICT

P.S.C. Ky. No. 95-198

Cancels P.S.C. Ky. No.

RECEIVED

AUG 22 1995

PUBLIC SERVICE
COMMISSION

MORGAN COUNTY WATER DISTRICT

OF
450 PRESTONSBURG STREET
WEST LIBERTY, KENTUCKY 41472

Rates, Rules and Regulations for Furnishing

~~WATER SERVICE~~

AT

PHASE I: 191, SOUTH TO CANNEL CITY, DOE BRANCH, STINSON BRANCH, BRUSHY

BRANCH RD. PHASE II: US 460 FROM INDEX TO LITTLE CANEY, TOWARD EZEL AND OTHER

SIDE ROADS OFF ROUTE 191. PHASE III: EXTENDS WATERLINE ALONG 460 WEST TO EZEL

EXTENDS 1162 FROM PHASE I LINE AND EXTENDS STACY FORK (844).

Filed with PUBLIC SERVICE COMMISSION OF
KENTUCKY

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

ISSUED.....AUGUST 21, 1995....., 19.....

EFFECTIVE.....MAY 31, 1995....., 19.....

PURSUANT TO 807 KAR 5.011.
SECTION 9(1)

ISSUED BY.....*Jordan C. Neal*.....
MORGAN COUNTY WATER DISTRICT
(Name of Utility)

BY.....CYNTHIA A. MONTGOMERY.....

RULES AND REGULATIONS

RECEIVED

FEB 24 1995

PUBLIC
SERVICE
COMMISSION

This schedule of Rules and Regulations governs the furnishing of water service by the Morgan County Water District hereinafter referred to as the Utility and applies to all service received from the Utility. No employee or individual director of the Utility is permitted to make an exception to Rates, Rules or Regulations. All Rules and Regulations are to be in effect so long as they are not in conflict with Public Service Commission Rules and Regulations. The Utility is further subject to all Rules and Regulations of the Commission even though not contained herein.

REVISIONS

These Rules and Regulations may be revised, amended, supplemented or otherwise changed from time to time subject to approval of the Public Service Commission, and shall have the same force as the present Rules and Regulations.

SERVICE AREA

PUBLIC SERVICE COMMISSION
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The Utility furnishes water service to customers in Morgan County, Kentucky.

AVAILABILITY

MAR 07 1995

Water Service is available to any domestic, industrial consumer within the Utility's area.

PURSUANT TO 307 KAR 5011,
SECTION 9(1)

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

RULES AND REGULATIONS

1. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
2. Water service may be discontinued by the District for any violation of any rule, regulation, or condition, with proper notification and especially for any of the following reasons:
 - A. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
 - B. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
 - C. Resale of water.
 - D. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.

Cynthia A. Montgomery
-S. O. H. H. H.

FOR West Liberty, Morgan County
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Morgan County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES AND REGULATIONS

- E. Tampering with meter, meter seal, service or valves, of permitting such tampering by others.
 - F. Connection, cross-connection, or permitting the same, or any separate water supply to premises which receive water from the District.
 - G. Non-payment of bills.
3. Any customer desiring to discontinue the water service to his/her premises for any reason must give notice of discontinuance in writing, in person or by telephone at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service, and the customer shall not be liable for water consumed beyond the date of discontinuance stated in such notice; if such notice in writing is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District.
4. Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for the delivery of any bill or notice not will the customer be excused from the payment of any bill or any performance required in said notice.
5. A. Each meter will be read at least quarterly by the District unless weather conditions prevent such reading in which case the customer will be billed on an estimate based on past usage. Bills will be dated and mailed the first of each month and shall cover the 30 day period of usage to the 15th day of the previous month. Said bills will state that they are due by the 10th day of the month mailed and they are delinquent and past due if not paid within 10 days of the mailing date. Written notice shall be given that service will be discontinued when a bill becomes delinquent. Ten days after written notice is given, but not less than 30 days after the mailing date of the original bill service, may be discontinued in conformity with applicable KRS and KAR sections, unless the amount of the delinquent bill is paid in full to the District.
- B. Water bills may be paid by mailing remittance to the Morgan County Water District at the business office, or by delivering remittance to the business office of the District or other designated depositories.
6. Where the water supply to the customer has been disconnected for non-payment of delinquent bills, or at the customer's request, a charge of \$25.00 will be made for connection of

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Barbara Stacy
(Signature of Officer)

TITLE District Manager

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____

water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid, and the customer has complied with all rules and regulations of the District. Also, \$10.00 will be charged when a trip is made to collect a delinquent bill, this trip may be made only after a written notice has been sent to a customer stating that if the bill is not paid by a certain date, the service will be disconnected. The field collection charge will be made in accordance with 807 KAR 5:006, Section 8 (3).

7. The District shall require a deposit from the customer; the policy shall be:

A. Deposits will be required from:

1. All members requesting water service who have not previously paid for 18 consecutive water usage with the District.
2. Members who are disconnected for non-payment and who do not presently have a deposit.
3. Members who fraudulently or illegally receive water service.

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PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

- B. A deposit of \$50.00 shall be required.

BY: Jordan J. Neel
FOR THE PUBLIC SERVICE COMMISSION

- C. Deposits will be applied to the final bill of any member who discontinues service and the remaining balance of the deposit, if any, will be refunded.
- D. Interest will be paid on all sums held on deposit at the rate actually earned annually. The interest will be applied as a credit to the customer's bill or will be paid to the customer on an annual basis. If the deposit is refunded or credited to the customer's bill prior to the deposit anniversary date, interest will be paid or credited to the customer's bill on the prorated basis.
- E. Every deposit and interest earned thereon shall be refunded to the paying member after three years, provided said member has had no delinquencies of the payment of any bill during that period. Where there are delinquencies, refunds shall be made only after three consecutive years without delinquencies.

8. There shall be a \$10.00 charge for all returned checks. This amount will be added to the monthly bill of the customer if not paid directly to the District prior to the most current billing for which this amount can be added. This amount then shall constitute an amount due from the customer and shall be included in billing and shall be recoverable by the District

as otherwise provided in this Tariff.

9. All meters shall be installed, renewed and maintained at the expense of the District and the District reserves the right to determine the size and type of meter used.
10. Testing of water meters for the water customers for the Morgan County Water District shall be conducted in accordance with the specifications set forth in appropriate KAR Sections. The District shall, from the date hereof, comply with all accuracy requirements and with all periodic testing requirement set forth in appropriate KAR Sections. That if any customer requests that the meter be checked to determine accuracy, the Water District will comply with each request as soon as it can; however, if the meter checks out accurate within standards set forth in applicable KAR sections, then the cost of this testing shall be borne by the customer. If the meter is inaccurate, the cost of the check shall be borne by the Water District.
11. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and the conditions of water service prevailing during the period in which the meter failed to register.
12. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the minimum possible delay. When the service is interrupted, consumers affected by such interruption will be notified in advance whenever it is possible to do so.
13. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. The District shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.
14. Customers having boilers, water heaters and/or pressure vessels receiving a supply of water from the District should have a check valve on the water supply line and a vacuum valve on the steam line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.
15. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said

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SECTION 5(1)
BY: James C. Noel
FOR THE PUBLIC SERVICE COMMISSION

Cynthia A. Montgomery
Secretary

premises, shall at all reasonable hours be subject to inspection by the District.

16. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.
17. Extension of service from the meter shall be at the expense of customer and by the customer's arrangements, subject to District approval, and in accordance with the District's Rules and Regulations and the regulations of the Department of Health. In addition, the customer shall be responsible for maintenance of the service line from the meter to the point of use. Extension of service to new customers shall be in accordance with the connection fee approved by the Public Service Commission.

All future line extensions shall be funded by loan, grant and/or funds similar to those used in the past. In the cases of a short line extension when loan funds or grants are not available, the District shall determine the total cost of the proposed water main extension (exclusive of the meter connection) and the total length of the extension. The District shall pay that portion of the cost of the water main extension equal to 50 feet for each applicant for the service. That part of the cost not covered by the District's portion shall be contributed equally by all applicants desiring service on the main extension. Each applicant will also be required to pay the District's approved "Tap-on-fee" for a meter connection to the main extension.

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For a period of five years after the original construction of the main extension each additional customer directly connected to contribute to the cost of that water main extension based on a recomputation of both the District's portion of the total cost and each customer's contribution as set out above. The District must refund to those customers that have previously contributed to the cost of each main extension itself that amount necessary to reduce their contribution to the currently calculated amount for each customer connected to that extension. All customers directly connected to each main extension for a five-year period after it is placed in service are to contribute equally to cost of construction of the water main extension itself. In addition each customer must pay the approved "Tap-on-fee" applicable at the time of their application for the meter connection. The "Tap-on-fee" is not part of the refundable cost of the extension and may be changed during refund period. After the five-year refund period expires, any additional customer applying for service on each main extension must be connected for the amount of the

PURSUANT TO KRS 191.011,
SECTION 1
BY THE DISTRICT
FOR THE PUBLIC SERVICE COMMISSION

Cynthia A. Montgomery

approved "Tap-on-fee " only. Also, after the five-year refunded period expires, the District will be required to make refunds for an additional five-year period in accordance with appropriate KAR Sections.

18. If any loss or damage to the property of the District or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, a member of his/her household, his/her agent or employee, the cost of the necessary repairs or replacement shall be paid by the customer to the District and any liability otherwise resulting shall be that of the customer.
19. Water furnished by the District may be used for domestic consumption by the customer, member of his/her household, and employees only. The customer shall not sell the water to any other person.
20. All customers shall grant or convey, to the District a perpetual easement and right of way across, any property owned or controlled by the customer wherever said easement or right of way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
21. Upon complaint to the District by a customer either at its office or in writing, the District shall make a prompt and complete investigation and advise the complainant thereof. It shall keep a record of all such complaints concerning its water service which shall show the name and address of the complainant, the date and nature of the complaint, and the adjustment or disposition thereof. Complaints shall be initially handled by the operating manager of the District whose decision may be appealed to the Commissioners of the District within 10 days by appearing at a scheduled meeting of the Board or by giving written notice of an intent to the Board. Otherwise, the operating manager's decision will be final. Any final decision of the operating manager of the District may be appealed to the Public Service Commission of Kentucky pursuant to applicable laws effective Commonwealth.

22. BLOW-OFF HYDRANTS AND FIRE HYDRANTS

The hydrants installed on the distribution lines of the Water District are for the primary purpose of flushing the lines, or other uses by the District necessary for proper maintenance of the lines. Thus, they are blow-off hydrants and not fire protection units in the performance of their duties, the Morgan County Water District is not responsible for, nor does it guarantee, any minimum or maximum pressures by these

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PURSUANT TO 807 KAR 5-011,
SECTION 9.01

BY: *[Signature]*
FOR THE PUBLIC SERVICE COMMISSION

Cynthia A. Montgomery

hydrants, other than the minimum pressure required by the Public Service Commission for distribution lines unless there is an emergency from the water supplier in which case the District shall see that minimum pressure is restored as soon as possible. Any damage to the distribution lines, resulting from excessive pumping pressure applied by any fire fighting unit will be the liability of that unit. New hydrants will be installed only if a professional engineer with a Kentucky registration has certified that the system can provide a minimum fire flow of 250' gallons per minute; and that the system supporting this flow has the capability of providing this flow for a period of not less than two hours plus consumption at the maximum daily rate.

23. METER BOXES AND METER BOX LIDS.

No customer shall disturb or otherwise adversely effect the meter box or the lid. If this provision is violated and a service call is necessary, the customer shall be charged a service call consistent with the amount set forth in paragraph 6 herein.

24. BUSINESS OFFICE AND DISTRICT MEETINGS

The Morgan County Water District's business office shall be located at:

County Office Building
505 Prestonsburg Street
West Liberty, KY 41472

The Commissioners shall meet once a month at the above location, on the first Thursday of the month, at 7:00 p.m.

PUBLIC SERVICE COMMISSION
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PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

Cynthia A. Montgomery
Secretary

FOR: Morgan County Water District

Morgan County Water District

P.S.C. KY. NO. _____

SHEET NO. _____

CANCELLING P.S.C. KY NO. _____

_____ SHEET NO. _____

**CLASSIFICATION OF SERVICE
MONTHLY WATER RATES**

5/8 " X 3/4" METER

First	2,000	Gallons	19.41 Minimum Bill
Next	3,000	Gallons	7.03 per 1,000 Gallons
Next	5,000	Gallons	6.43 per 1,000 Gallons
Next	5,000	Gallons	5.83 per 1,000 Gallons
Over	15,000	Gallons	5.23 per 1,000 Gallons

1" METER

First	5,000	Gallons	40.50 Minimum Bill
Next	5,000	Gallons	6.43 per 1,000 Gallons
Next	5,000	Gallons	5.83 per 1,000 Gallons
Over	15,000	Gallons	5.23 per 1,000 Gallons

2" METER

First	15,000	Gallons	101.80 Minimum Bill
Over	15,000	Gallons	5.23 Per 1,000 Gallons

DATE OF ISSUE: **December 2, 2002** DATE EFFECTIVE: **December 2, 2002**

ISSUED BY: Earl Reed TITLE: **Chairman**
Name of Officer

Issued by authority of an Order of the Public Service Commission of Kentucky in

Case No: 2002-00387 Dated NOVEMBER 25, 2002

FOR Morgan County, KY
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Morgan County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RATES AND CHARGES

A. METER CONNECTION/TAP-ON CHARGES:

5/8 Inch X 3/4 Inch \$590.00

All Larger Meters Actual Cost

DATE OF ISSUE _____

Month / Date / Year

DATE EFFECTIVE _____

Month / Date / Year

ISSUED BY Barbara Stacy

(Signature of Officer)

TITLE Manager

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
8/12/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By [Signature]
Executive Director

Form for filing Rate Schedules

For _____
Community, Town or City

P.S.C. NO. _____

SHEET NO. _____

CANCELLING P.S.C. NO. _____

SHEET NO. _____

Morgan County Water District
Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE
PER UNITMORGAN COUNTY WATER DISTRICT
505 PRESTONBURG ST
WEST LIBERTY KY 41472

ACCOUNT 03-00245-01 12/20 TO 12/21

SERVICE AT CENTERVILLE RD.

TYPE	PRESENT	PREVIOUS	USAGE	CHARGES
WT	0	0	0	12.25
UT				.37
BF				13.88

SAMPLE

DISREGARD IF PAYMENT HAS BEEN
MADE. THANK YOU.
HAPPY HOLIDAYS

CLASS	AMOUNT DUE AFTER DUE DATE	DUE DATE	AMOUNT DUE ON OR BEFORE DUE DATE
R1	29.15	01/10/94	26.50

ADDRESS
CORRECTION
REQUESTEDFIRST CLASS MAIL
US POSTAGE PAID

PERMIT NO.

RATES AVAILABLE UPON REQUEST

MAIL TO

RECEIVED

CORBETT ELAM

FEB 24 1995

RT. 1 BOX 373

WEST LIBERTY
41472PUBLIC
COMMISSION

PLEASE BRING ENTIRE BILL TO OFFICE OR MAIL STUB WITH PAYMENT

ACCOUNT		DUE DATE
03-00245-01		01/10/94
AMOUNT DUE ON OR BEFORE DUE DATE	SAVE THIS	AMOUNT DUE AFTER DUE DATE
26.50	2.65	29.15

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PURSUANT TO 807 KAR 5011,
SECTION 9(1)BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

DATE OF ISSUE _____

DATE EFFECTIVE _____

ISSUED BY _____

Name of Officer

TITLE _____

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. _____ dated _____.

MORGAN COUNTY WATER DISTRICT

WATER SHORTAGE PROTECTION PLAN

FOR FURNISHING SERVICE TO ALL OF MORGAN COUNTY NOT SERVICED BY THE CITY
OF WEST LIBERTY

FILED WITH THE PUBLIC SERVICE COMMISSION OF
KENTUCKY

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JAN 19 1996

ISSUED. NOVEMBER 9, 1995

EFFECTIVE

PURSUANT TO 807 KAR 5011,
SECTION 9(1),

BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

ISSUED BY MORGAN COUNTY WATER DISTRICT

BY CYNTHIA A. MONTGOMERY

WATER SHORTAGE RESPONSE PLAN

MORGAN COUNTY WATER DISTRICT

JAN 19 1996

PURSUANT TO 807 KAR 5011.

Section 1. PURPOSE. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Morgan County Water District, in the event a shortage is declared. SECTION 9(1)
BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

Section 2. DEFINITIONS. These terms are applicable only for this Plan unless specifically noted.

(a) "CUSTOMER" shall mean any person or entity using water for any purpose from the Morgan County Water District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.

(b) "RAW WATER SUPPLIES" shall mean all water potentially available to persons in the Morgan County Water District.

(c) "TREATED WATER" shall mean water that has been introduced by the Morgan County Water District, into its distribution system, including water offered for sale. Uses of treated water are classified as follows:

ESSENTIAL WATER USES (CLASS 1)

The following uses of water, listed by site or user type, are essential.

DOMESTIC:

- * water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

HEALTH CARE FACILITIES:

- * Patient care and rehabilitation, including related filling and operation of swimming pools.

WATER HAULING:

- * sales of domestic use where not reasonably available elsewhere.

PUBLIC USE:

- * Firefighting
- * Health and public protection purposes, if specifically approved by health officials.

SOCIALLY OR ECONOMICALLY IMPORTANT USES (CLASS 2)

The following uses of water, listed by site or user type, are socially or economically important.

DOMESTIC:

- * personal, in-house water use including kitchen, bathroom, and laundry.

WATER HAULING:

- * non-domestic, when other sources are not reasonably available elsewhere.

COMMERICAL AND CIVIC USE:

- * commerial car and truck washes
- * laundromats
- * restaurants, clubs, and eating places
- * schools, churches, motels/hotels and similar commercial establishments.

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OUTDOOR NON-COMMERCIAL WATERING:

- * minimal watering of vegetable gardens
- * minimal watering of trees where necessary to preserve them.

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PURSUANT TO 807 KAR 5:011.

OUTDOOR COMMERCIAL OR PUBLIC WATERING (using conservation methods and when other sources of water are not available or feasible to use):

SECTION 9 (1)

BY: Jordan C. Neel
FOR THE PUBLIC SERVICE COMMISSION

- * agricultural irrigation for the production of food and fiber or maintenance of livestock
- * watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens.
- * watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation.
- * watering of woody plants where necessary to preserve them
- * minimal watering of golf course greens

RECREATIONAL:

- * operation of municipal swimming pools and residential pools that serve more than 25 dwelling units

AIR CONDITIONING:

- * refilling for startup at the beginning of the cooling season
- * makeup of water during the cooling season
- * refilling specifically approved by health officials where the system has been drained for health protection or repair services.

NON-ESSENTIAL USES (CLASS 3)

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

PUBLIC USE:

- * use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps testing fire apparatus and fire department drills.
- * flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials

COMMERICAL AND CIVIC USE:

- * serving water in restaurants, clubs, or eating places, except by customer request
- * failure to repair a controllable leak
- * increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

ORNAMENTAL PURPOSES:

- * fountains, reflecting pools and artificial waterfalls.

OUTDOOR NON-COMMERCIAL WATERING:

- * use of water for dirt control or compaction
- * watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas, washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas.
- * flushing gutters or permitting water to run or accumulated in any gutter or street.

- * washing down buildings or structures for purpose other than immediate fire protection.

OUTDOOR COMMERCIAL OR PUBLIC WATERING:

- * expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process.
- * use of water for dirt control or compaction.
- * watering of lawns, parks, golf course fairways, playing fields and other recreational areas.
- * washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas.
- * washing down buildings or structures for purposes other than immediate fire protection.
- * flushing gutters or permitting water to run or accumulate in any gutter or street.

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OF KENTUCKY
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Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

JAN 19 1996

AIR CONDITIONING (see also Class 2 purpose):

PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

- * refilling cooling towers after draining.

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

(d) "BASE ENTITLEMENT" shall mean the monthly usage for a customer during the same month of the preceeding calendar year or the average per customer usage for each class of service during the same month of the preceeding year.

(e) "CURTAILED ENTITLEMENT" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

(f) "CURTAILMENT" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) "WATER SHORTAGE RESPONSE PHASES:

- * "Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.
- * "Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.
- * "Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist.
- * "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. APPLICABILITY. The provisions of the Plan shall apply to all retail and wholesale customers of the Morgan County Water District. When implemented, this Plan becomes, Morgan County Water District Water Shortage Response Regulation.

Section 4. ENTITLEMENTS. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. DETERMINATION OF WATER SHORTAGE. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather

conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Board of Directors.

Section 6. TERM OF WATER SHORTAGE DECLARATION. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Board of Directors of Morgan County Water District.

PUBLIC SERVICE COMMISSION
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Section 7. WATER SHORTAGE STAGE, CRITERIA, CONSERVATION AND CURTAILMENT MEASURES.

JAN 19 1996

A. ADVISORY STAGE:

- * (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 10% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Morgan County Water District draws water. (Note: Additional conditions may be added based on local conditions.)
- * (2) Conservation and Curtailment Measures:
 - (a) Declare a Water Shortage Advisory.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Request voluntary conservation of all non-essential (Class 3) water use.
 - (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

PURSUANT TO 807 KAR 5011,
SECTION 9(1)
BY: *Jordan C. Neal*
FOR THE PUBLIC SERVICE COMMISSION

B. ALERT STAGE:

- * (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 20% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
- * (2) Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Alert.
 - (b) Provide proper notice to all customers and to all local news media
 - (c) Eliminate all water leaks.
 - (d) Prohibit all non-essential (Class 3) water uses.
 - (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
 - (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage of \$ 10.00 per 1,000 gallons.

C. EMERGENCY STAGE:

- * 1. Criteria: A Water Emergency shall be declared when the amount of

treated water available is projected to be up to 25% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

* 2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Emergency.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 uses of water.
- (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
- (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%
- (g) Curtail Residential entitlements by the same percentage as the project shortage.
- (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
- (i) Begin billing all customer usage in excess of curtailed entitlement at the normal rate plus and excess usage charge of \$ 15.00 per 1,000 gallons.

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D. RATIONING STAGE:

- * 1. Criteria: Treated water available is greater than 30% below demand or raw water supplies are below the level necessary to meet essential needs, and in the opinion of Jerry Jackson, Operator, mandatory rationing is required to insure adequate water is available water to maintain public health and safety.
- * 2. Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Rationing.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Prohibit all Class 3 and Class 2 uses of water.
 - (e) Curtail all commercial and industrial entitlement (except Health Care Facilities)
 - (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
 - (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
 - (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus and excess usage charge of \$ 18.00 per 1,000 gallons.

Section 8. ENFORCEMENT OF WATER RESTRICTION. Any person who violates the provisions of the Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- * (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- * (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee, if a hearing is requested by the customer, he or she shall be given full opportunity to

be heard before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- * (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- * (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. REQUEST FOR EXCEPTION.

- * (a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Morgan County Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

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APPENDIX A

PROJECTED DEMAND WORKSHEET FOR _____
(Month) (Year)

The information below would be used to estimate projected demand for one (1) month.

Calculations will be done at the beginning of each month.

Average use in _____	for the past 5 years:	_____ gpd
(Last Month)		
Average use in _____	for 2 years ago:	_____ gpd
(Last Month)		
Average use in _____	for 1 year ago:	_____ gpd
(Last Month)		
Average use in _____	for current year:	_____ gpd
(Last Month)		
Average use in _____	for the past 5 years:	_____ gpd
(This Month)		
Average use in _____	for 2 years ago:	_____ gpd
(This Month)		
Average use in _____	for 1 year ago:	_____ gpd
(This Month)		

Usage Notes: _____

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Weather Notes: _____

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Average projected use for _____:

Without conservation measures:	_____ gpd
Without advisory conservation measures (20% reduction)	_____ gpd
With alert conservation measures (More than 20% reduction)	_____ gpd
With emergency conservation measures (More than 20% reduction)	_____ gpd
With rationing conservation measures (More than 30% reduction)	_____ gpd

**A RESOLUTION ESTABLISHING A PROGRAM TO PROTECT THE PUBLIC
WATER SUPPLY BY CONTROLLING BACKFLOW AND CROSS CONNECTIONS**

WHEREAS, the Kentucky Natural Resources and Environmental Protection Cabinet have enacted administrative regulations, which require every public water system to determine if or where cross connections exist and to eliminate them; and

WHEREAS, the Board Members of MORGAN Water District, hereinafter called "Water District," realize that they have a responsibility to protect the public health by providing a safe source of drinking water, and that cross connections could affect the health and economic growth of the community;

NOW, THEREFORE, be it resolved by the Board Members of MORGAN Water District:

SECTION 1. Title. This resolution shall be known and may be cited as the "Cross Connection Resolution."

SECTION 2. PURPOSE and AUTHORITY.

(A) It is the purpose of this resolution to establish a program to assure that the public water supply is protected from contamination due to backflow or cross connections. The Board recognizes that contamination of the public water supply presents an imminent health hazard to the residential and non-residential users of the public water system; the threat of significant

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economic loss due to disrupted water service to such residential and nonresidential water users and the potential liability to the Water District.

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(B) It is the further purpose of this resolution to meet the requirements of 401 KAR 8:020 as enacted by the Kentucky Resources and Environmental Protection Cabinet.

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SECTION 3. Definitions. As used in this resolution, unless the context clearly requires a different meaning:

(A) "Air Gap" means the measured vertical distance from the lowest end of a potable water outlet to the flood rim or line of the fixture or receptacle into which it discharges. The minimum required air gap shall be twice the effective opening of the potable water outlet.

(B) "Approved Backflow Assembly" means any device that may be approved by the Cabinet in lieu of proper air gap separation.

(C) "Auxiliary Water Supply" means any water supply on or available to the premises other than the Water Districts public water supply. These auxiliary waters may include water from any natural source such as a well, spring, river, stream or body of water or any water or other substance of unknown or questionable quality that may present a health or system hazard to the potable public water supply.

(D) "Backflow" means the reversal of the normal flow of water caused by either back pressure or back siphonage.

(E) "Back Pressure" means the flow of water or other liquids, mixtures, or substances under pressure into the distribution pipes of a potable water supply system from any source other than the original water source.

(F) "Back Siphonage" means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water supply system from any source other than the original water source, caused by the reduction of pressure in the potable water supply system.

(G) "Backflow Prevention Assembly" means an assembly or means designed to prevent backflow. A listing of acceptable backflow prevention assemblies and degree of hazard is available in the Kentucky State Plumbing Law, Regulations and Code.

(H) "Contamination" means an impairment of the quality of the potable water supply by any waste product, fluid, substance, compound or other material to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

(I) "Cross Connection" means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other nonpotable water or substance of questionable quality, through which, or because of which, backflow may occur into the potable water system.

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(J) "Cross Connection - Controlled" means a connection between a potable water system and a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

(K) "Thermal Expansion Tank" means a device installed on the cold water supply line near a water heater to compensate for the expansion of water within a water system when such water is heated.

SECTION 4. Requirements. The Water District shall provide protection to the public water system against backflow by implementing the following requirements.

(A) "Residential" - Buildings used for habitation or occupancy shall be considered as residential buildings. No water service connection to any premises shall be installed or allowed to be installed by the Water District unless such service connection is protected by a backflow prevention assembly. Residential service connections shall be considered as low hazard applications and all such connections shall have at a minimum a dual check valve backflow preventer installed between the water meter and the residence. The Water District may require additional or alternate backflow prevention assemblies if the degree of hazard constitutes a higher level of protection for the public water system.

(B) "Non-Residential" - No water service connection to ~~any~~ non-residential facility shall be installed or allowed to be

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installed by the Water District unless such water service connection is protected by a backflow prevention assembly. The type of protective device required shall be determined at the time of installation of the service connection and shall be commensurate with the degree of hazard at the point of such service connection. At a minimum the service connection shall be installed with a dual check valve backflow preventer. In the event activities to occur within a non-residential facility change and creates a higher degree of hazard, then the backflow prevention assembly shall be replaced with an assembly which provides acceptable protection.

(C) "Inspections" - The customer's water system shall be open for inspection at all reasonable times to authorized representatives of the Water District to determine whether cross connections or other structural or sanitary hazards, including violation of this resolution, exist. When such a condition becomes known, the Water District may deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition in conformance with the State and local statutes relating to plumbing, water supplies and the regulations adopted pursuantly thereto. Water service to any premises shall be discontinued if it is found that a backflow prevention assembly required by this resolution has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

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(D) "Existing Service Connections" - All existing water service connections which do not have backflow prevention assemblies or existing water service connections which have less than the minimum required backflow prevention assemblies, shall, except for the inspection requirements, be excluded from the requirements of this resolution so long as the Water District is assured that the public water system is satisfactorily protected. Whenever the existing service connection is moved or requires more than minimum maintenance or when the Water District determines that a hazard to health exists, then a backflow prevention assembly meeting the requirements of this resolution shall be installed on such existing service connection. Periodically, the Water District shall install or require to be installed backflow prevention assemblies on existing unprotected water service connections until such time that all water service connections within the public water system are equipped with backflow prevention assemblies. Backflow prevention assemblies shall not be installed on existing service connections until after the property owner of such residential or commercial property has been informed of the actual and potential hazards that may be created as a result of such backflow assembly installation. Notices provided to such property owners shall include the following language as adopted in 815 KAR 20:120 Section 2. item (6): When cross connection control devices are properly installed, they create a closed water system.

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properly sized thermal expansion tank shall be installed in the cold water supply located as near the water heater as possible.

SECTION 5. Severability. If any provision of this resolution is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional or in conflict with applicable laws of the Commonwealth, the remaining provisions of this resolution shall continue in full force and effect.

SECTION 6. Effective Date. This resolution shall take effect upon the incorporation into the bylaws and tariff of Morgan Water District.

Date of adoption 7-11-96

James A Finch
, Chairman

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